
From: Wu, Jennifer
To: Carvalho, Gabriela
CC: Liu, Linda; Helder, Dirk
Sent: 8/29/2014 12:38:32 PM
Subject: RE: 8/28 OR CZARA Pesticides Mtg topics

Thanks so much, Gabriela, for both pieces of information and for responding back on the notes. I didn't have the information in the table below and didn't know which of the pesticides were herbicides, so that's helpful. I had also googled early on and found that the summary on the ODA website was nicely done, but it's good to know it's also accurate (which I was guessing it was).

Thanks also for the clarification that the court-ordered buffers are enforced by the court, not by the FIFRA labels. I think Linda had also mentioned this to me and it looked like that was the case in the press releases, but it's helpful to understand how it all works.

Have a good weekend, everyone. - Jenny

From: Carvalho, Gabriela
Sent: Friday, August 29, 2014 9:09 AM
To: Wu, Jennifer
Cc: Liu, Linda; Helder, Dirk
Subject: FW: 8/28 OR CZARA Pesticides Mtg topics

Hi Jenny,

Here's a bit more information on the court-ordered buffers. <http://www.oregon.gov/ODA/programs/Pesticides/Water/Pages/Buffers.aspx>

It turns out that Oregon does much better than EPA at explaining in one place the history of the Washington Toxics Coalition order and subsequent litigation. This link explains the history that includes the recent reinstatement of buffers for the five insecticides as well as the pesticides in which the original 2004 court-ordered buffers are still in place (in the table in my email below).

Remember, these are court-ordered buffers and they are not reflected on the pesticide label. Under FIFRA, the label is the law, so the state is not able to enforce these buffers under FIFRA. These buffers are enforceable by the courts. Our states do make information available about these buffers to applicators in their certification and training program and through their website.

I realized I may not have fully answered your question below so I hope this completes the picture for you.

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From: Carvalho, Gabriela
Sent: Thursday, August 28, 2014 4:26 PM
To: Wu, Jennifer
Cc: Helder, Dirk; Liu, Linda
Subject: FW: 8/28 OR CZARA Pesticides Mtg topics

Hi Jenny,

I saw your action item in the notes:

Dirk, Linda, and Gabriela, I think you've provided this before, but can you tell us which herbicides have court-ordered buffers still in place? For some reason, I thought they were just insecticides.

Here is the BiOp schedule:

http://www.nmfs.noaa.gov/pr/consultation/pesticide_schedule.htm

Here are the BiOps that haven't been issued, so the original court ordered buffers are still in place for these pesticides (including the three yellow highlighted herbicides)

Batch	Opinion	Active Ingredient	Use	Deadline
7		Propargite	Acaricide	TBD
7		Fenbutatin-oxide	Insecticide	TBD
7		Diflubenzuron	Insecticide and fungicide	TBD
TBD		1,3-D	Insecticide	TBD
-		Lindane -canceled, use prohibited since August 2009, will not be reviewed	Insecticide	TBD
TBD		Racemic metolachlor	Herbicide	TBD
TBD		Bromoxynil	Herbicide	TBD
TBD		Prometryn	Herbicide	TBD

Also on your note:

What do people think of the rationale that Oregon should and can act now under ODF and ODA policies or under FPA consistent with neighboring states, instead of waiting until FIFRA labels are amended to consider ESA-listed species?

Ex. 5 - Deliberative

Thanks for your notes. They are very helpful.

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From: Wu, Jennifer

Sent: Thursday, August 28, 2014 1:42 PM

To: Henning, Alan; Helder, Dirk; Liu, Linda; Carvalho, Gabriela; Peterson, Erik; Woodruff, Leigh; allison.castellan@noaa.gov

Cc: Leinenbach, Peter; Byrne, Jennifer

Subject: RE: 8/28 OR CZARA Pesticides Mtg topics

Good meeting today with a lot of information and ideas (cc: JB, FYI). Attached are notes and follow-up from the call. We'll talk again on September 11, and feel free to share any additional thoughts with me and/or the group before.

Below is a link to some information on ODF's pesticide program. To see the ODF and ODA strategy, open the "ODF Aerial Pesticide Application Monitoring Study." There are also some fact sheets on their program.

<< File: Oregon CZARA Pest Meeting Notes 8.28.14.docx >>

<http://www.oregon.gov/odf/pages/herbicideinfo.aspx>